

Posted – December 30, 2009

REGULAR MEETING JANUARY 4, 2010

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, January 4, 2010 at 7:00 P.M. (EXECUTIVE SESSION AT 6:00 PM – PRESENTATION EBCAP AT 6:30 PM) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

EXECUTIVE SESSION

Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2) litigation (Environment Rhode Island vs. Town of Middletown).

PRESENTATION

East Bay Community Action Program, re: Activities within the Town of Middletown.

ACTING AS A BOARD OF LICENSE COMMISSION

1. (Public Hearing Advertised)

Application of Aquidneck Health, LLC, 66 Valley Road holder of a Class BL Alcoholic Beverage License to TRANSFER said license to McGrath Clambakes, Inc. dba Café At NAC by McGrath Clambakes for use at the same premises.

CONSENT CALENDAR

1. Approval of Minutes – Regular Meeting, December 7, 2009.

2. Approval of Minutes – Special Meeting, December 14, 2009.

3. Communication of Amanda Frye Leinhos, Executive Director, Dr. Martin Luther King Jr. Community Center, re: Appreciation for nonperishable food donation.

4. Resolution of Westerly Town Council, re: To relieve the Town of Westerly and its taxpayers from unfunded mandates.

5. Communication from Town Clerk Portsmouth, with enclosure, re: Resolution in opposition to House Bill 5931 and Senate Bill 606.

6. Communication from City Clerk Newport, with enclosure, re: Resolution in opposition of locating a liquefied natural gas facility in Mount Hope Bay.

7. Memorandum of Town Administrator, with enclosure, re: Notice of Compliance with RIDEM Phase II Storm Water Regulations.

8. Application of Middletown Senior Citizens Center, 650 Green End Avenue, for RENEWAL of Bingo License for the 2010-2011 licensing year.

9. Continued from Regular Meeting, December 7, 2009

Continued from Regular Meeting November 2, 2009

Communication of Kevin and Jackie Zahm, 17 Reardon Drive, re: Requesting Town to abandon or remove improvements of a small section of Reardon Drive. (Administration requests to continue said matter to January 18, 2010 regular meeting of the Council)

10. Proposed Budget Meeting Schedule.

TOWN COUNCIL

1. Memorandum of Town Administrator, re: Employee Recognition Program – Pins of Service.

2. Application of McGrath Clambakes, Inc. dba Café At NAC by McGrath Clambakes, 66 Valley Road for a Victualling House License for the 2009-2010 licensing year . (NEW)

3. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152 Zoning Code, Article 25A – Wind Energy Conversion Facilities.

4. Memorandum of John W. Bagwill, Member, Easton's Point Association Board, with enclosures, re: Wind Turbine Ordinance.

5. Communication of Francis L. Lennon, President, USS Saratoga Museum Foundation, Inc., re: Requesting support of the possibility of mooring an aircraft carrier on waterfront property within Town boundaries.

6. Communication of James J. Karam, President & CEO, First Bristol Corporation, re: Expressing support for the proposed Saratoga Museum Foundation project.

7. Memorandum of Councillor VonVillas, re: Saratoga Museum.

8. Email Communication of Councillor Silveira, with enclosures, re: Aircraft Carrier Proposal.

9. Resolution of the Council, re: Aircraft Carrier Proposal.

10. Memorandum of Councillor VonVillas, re: Regional Planning Committee.

11. Resolution of the Council, re: Regional Planning Committee and the allocation of funds to support a study regarding educational benefits of regionalization.

12. Memorandum of Town Administrator, re: Opposing LNG Operations.

13. Resolution of Council, re: Opposing LNG Operations.

14. Appointment of two (2) members to the Middletown Beach Commission for terms expiring January 2012.

15. Appointment of three (3) members to the Senior Citizens Board of Directors for terms expiring January 2013.

16. Appointment of one (1) member to the Middletown Tree Commission for a term expiring January 2013.

17. Communication of Senator DiPalma, re: Request to schedule a meeting to discuss the Town's Legislative Agenda for 2010.

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

Wendy J. W. Marshall, CMC
Clerk

Town

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.